

Justice System Appropriations Bill House File 2558

Last Action:

House Floor

March 7, 2006

AN ACT relating to and making appropriations to the Justice System and providing an effective date.

**Fiscal Services Division
Legislative Services Agency**

NOTES ON BILLS AND AMENDMENTS (NOBA)

Available on line at <http://www3.legis.state.ia.us/noba/index.jsp>

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EXECUTIVE SUMMARY NOTES ON BILLS AND AMENDMENTS

HOUSE FILE 2558 JUSTICE SYSTEM APPROPRIATIONS BILL

FUNDING SUMMARY

MAJOR INCREASES, DECREASES, AND TRANSFERS OF EXISTING PROGRAMS

- Appropriates a total of \$449.2 million from the General Fund and 5,995.6 FTE positions to the Departments of Justice, Corrections, Inspections and Appeals, Public Defense, Public Safety, the Iowa Law Enforcement Academy, Board of Parole, and the Civil Rights Commission. This is an increase of \$21.5 million and 123.2 FTE positions compared to the estimated FY 2006 General Fund appropriation. If SF 2273 (FY 2006 Supplemental Appropriations Bill) is enacted, the increase is \$12.8 million.
- Makes the following General Fund increases for FY 2006:
 - **Department of Justice, Office of the Attorney General:** \$80,000 increase for one Assistant Attorney General in the Area Prosecutions Division. (Page 1, Line 7)
 - **Department of Corrections (DOC):** An increase of \$10.4 million and 81.3 FTE positions compared to the FY 2006 General Fund appropriation. (Page 5, Line 4 through Page 12, Line 30) Highlights include:
 - \$432,000 for Department of Administrative Services (DAS) reimbursements. This increase includes the nine prisons, seven of the Community-Based Corrections (CBC) District Departments, and Central Office.
 - \$2.3 million for food, fuel, and pharmacy cost increases and increased usage. This increase includes the nine prisons and eight CBC District Departments
 - \$200,000 to fund viral hepatitis and a transitional housing pilot project.
 - \$1.5 million and 36.7 FTE positions to staff security towers at the Iowa State Penitentiary at Fort Madison.
 - \$2.4 million and 26.0 FTE positions to supervise, electronically monitor, and treat sex offenders using the Global Positioning System (GPS) bracelet. This increase includes the Mount Pleasant Correctional Facility, Central Office, and the eight CBC District Departments.
 - \$2.2 million and 31.0 FTE positions to operate the 178-bed Special Needs Unit at the Iowa Medical Classification Center at Oakdale.
 - **Iowa Law Enforcement Academy:** \$38,200 increase for DAS reimbursements. (Page 15, Line 21)
 - **Department of Public Defense:** \$409,000 increase for the Military Division. (Page 17, Line 1)
 - **Department of Public Safety:** An increase of \$6.0 million, including:
 - \$464,000 increase for Public Safety Administration. (Page 17, Line 26)
 - \$3.4 million increase for 40.0 FTE positions in the Division of Criminal Investigation (DCI). (Page 17, Line 31)
 - \$453,000 increase for Division of Narcotics Enforcement. (Page 18, Line 20)

**EXECUTIVE SUMMARY
NOTES ON BILLS AND AMENDMENTS**

**HOUSE FILE 2558
JUSTICE SYSTEM APPROPRIATIONS BILL**

**MAJOR INCREASES, DECREASES,
AND TRANSFERS OF EXISTING
PROGRAMS (CONTINUED)**

- *Department of Public Safety (continued):*
 - \$192,000 increase for the Fire Marshal's Division. (Page 18, Line 32)
 - \$1.4 million increase for the Iowa State Patrol. (Page 19, Line 12)
- *Department of Inspections and Appeals:* \$4.6 million increase to fund the projected increase in claims and to fund currently authorized positions in the Office of the State Public Defender. (Page 15, Line 11 through Page 15, Line 19)

STUDIES AND INTENT LANGUAGE

- Requires the Department of Justice to maintain a record of the estimated time incurred representing each agency or department. (Page 1, Line 16)
- Requires the Department of Justice to report the actual costs and an estimate of the time incurred enforcing the Iowa Competition Law and the Iowa Consumer Fraud Law to the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee and the Legislative Services Agency (LSA) by November 15, 2006. (Page 1, Line 30 and Page 2, Line 16)
- Requires the DOC to submit a proposal regarding the creation of a substance abuse prison using existing resources to the LSA by January 15, 2007. (Page 14, Line 27)
- Allows the Iowa Law Enforcement Academy to temporarily exceed the amount appropriated and incur a negative cash balance as long as equal receivables are anticipated at the close of the fiscal year for cash flow purposes. (Page 15, Line 35)
- Allows the Iowa Law Enforcement Academy to annually exchange five vehicles turned into the State Fleet Administrator by the Department of Public Safety. (Page 16, Line 6)
- Authorizes the appropriation of no more than \$200,000 from the Wireless E911 Emergency Communications Fund for FY 2006 to be used for administration of the Fund and to employ the State Auditor to perform an annual audit on the Fund. (Page 21, Line 8)
- Requires departments within the Justice System Appropriations Subcommittee to review the short-term use of vehicles and provide reports to the Government Oversight Committee. (Page 21, Line 31)
- Permits the Iowa Law Enforcement Academy to charge more than one-half the cost of providing the basic training course, subject to Council approval. This change is repealed on June 30, 2007. (Page 21, Line 19)
- Allows the Deputy Adjutant General to serve until June 30, 2007. (Page 21, Line 26)
- Specifies that Section 20 of the Bill relating to the Deputy Adjutant General takes effect upon enactment. (Page 23, Line 11)

**SIGNIFICANT CHANGES TO THE
CODE OF IOWA**

EFFECTIVE DATE

House File 2558 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
4	23	2	Nwthstnd	Sec. 8.33	Nonreversion of Contingent Appropriation for Environmental Crimes
8	30	5.1(b)	Nwthstnd	Sec. 8.33	Nonreversion of Appropriation for Inmate Education Program
12	31	7	Nwthstnd	Sec. 8.39	Reallocation of Appropriations within the DOC and CBC District Departments
20	10	16.8	Nwthstnd	Sec. 8.33	Nonreversion of Volunteer Fire Fighter Training Grants
20	17	16.9	Nwthstnd	Sec. 8.39	Allows the Department of Public Safety to Reallocate Appropriations
21	19	19	Nwthstnd	Sec. 80B.11B	Law Enforcement Academy Fees
21	26	20	Nwthstnd	Sec. 29A.16	Allows a Deputy Adjutant General to Serve Until June 30, 2007
22	14	22	Amends	Sec. 904.513.2	County Confinement Account
22	32	23	Adds	Sec. 904.908.3	County Confinement Account
23	4	24	Adds	Sec. 906.17.3	County Confinement Account

1 1 Section 1. DEPARTMENT OF JUSTICE.

1 2 1. There is appropriated from the general fund of the
1 3 state to the department of justice for the fiscal year
1 4 beginning July 1, 2006, and ending June 30, 2007, the
1 5 following amounts, or so much thereof as is necessary, to be
1 6 used for the purposes designated:

1 7 a. For the general office of attorney general for
1 8 salaries, support, maintenance, miscellaneous purposes
1 9 including the prosecuting attorneys training program, victim
1 10 assistance grants, office of drug control policy (ODCP)
1 11 prosecuting attorney program, odometer fraud enforcement, and
1 12 for not more than the following full-time equivalent
1 13 positions:
1 14 \$ 8,409,413
1 15 FTEs 217.50

General Fund appropriation to the Department of Justice for the Office of the Attorney General, Prosecuting Attorney Training Program, Victim Assistance Grants, Office of Drug Control Policy, Prosecuting Attorney Training Program, and Odometer Fraud Enforcement.

DETAIL: This is an increase of \$80,000 and no change in FTE positions compared to the estimated FY 2006 appropriation for an Assistant Attorney General for the Area Prosecutions Division. The funding permits filling an authorized, unfunded FTE position.

1 16 It is the intent of the general assembly that as a
1 17 condition of receiving the appropriation provided in this
1 18 lettered paragraph, the department of justice shall maintain a
1 19 record of the estimated time incurred representing each agency
1 20 or department.

Specifies that it is the intent of the General Assembly that the Department of Justice maintain a record of the estimated time incurred to represent each agency or department.

1 21 b. For victim assistance grants:
1 22 \$ 5,000

General Fund appropriation to the Department of Justice for the Victims Assistance Grants Program.

DETAIL: Maintains current level of General Fund support.

1 23 The funds appropriated in this lettered paragraph shall be
1 24 used to provide grants to care providers providing services to
1 25 crime victims of domestic abuse or to crime victims of rape
1 26 and sexual assault.

Requires that Victim Assistance funds be awarded as grants to providers of services for victims of domestic abuse, rape, and sexual assault.

1 27 c. For legal services for persons in poverty grants as

General Fund appropriation to the Department of Justice for the Legal

1 28 provided in section 13.34:
 1 29 \$ 900,000

Services Poverty Grants Program.

DETAIL: Maintains current level of General Fund support.

1 30 2. In addition to the funds appropriated in subsection 1,
 1 31 there is appropriated from the general fund of the state to
 1 32 the department of justice for the fiscal year beginning July
 1 33 1, 2006, and ending June 30, 2007, an amount not exceeding
 1 34 \$200,000 to be used for the enforcement of the Iowa
 1 35 competition law. The funds appropriated in this subsection
 2 1 are contingent upon receipt by the general fund of the state
 2 2 of an amount at least equal to the expenditure amount from
 2 3 either damages awarded to the state or a political subdivision
 2 4 of the state by a civil judgment under chapter 553, if the
 2 5 judgment authorizes the use of the award for enforcement
 2 6 purposes or costs or attorneys fees awarded the state in state
 2 7 or federal antitrust actions. However, if the amounts
 2 8 received as a result of these judgments are in excess of
 2 9 \$200,000, the excess amounts shall not be appropriated to the
 2 10 department of justice pursuant to this subsection. The
 2 11 department of justice shall report the department's actual
 2 12 costs and an estimate of the time incurred enforcing the
 2 13 competition law, to the co-chairpersons and ranking members of
 2 14 the joint appropriations subcommittee on the justice system,
 2 15 and to the legislative services agency by November 15, 2006.

Contingent General Fund appropriation to the Department of Justice for the enforcement of the Iowa Competition Law. The appropriation is contingent on the receipt of damages due to anti-trust lawsuits and is limited to \$200,000. Also, requires the Department of Justice to report the Department's actual costs and an estimate of the time incurred to enforce the Iowa Competition Law to the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee and the Legislative Services Agency (LSA) by November 15, 2006.

DETAIL: Maintains current level of contingent funding.

2 16 3. In addition to the funds appropriated in subsection 1,
 2 17 there is appropriated from the general fund of the state to
 2 18 the department of justice for the fiscal year beginning July
 2 19 1, 2006, and ending June 30, 2007, an amount not exceeding
 2 20 \$1,125,000 to be used for public education relating to
 2 21 consumer fraud and for enforcement of section 714.16, and an
 2 22 amount not exceeding \$75,000 for investigation, prosecution,
 2 23 and consumer education relating to consumer and criminal fraud
 2 24 against older Iowans. The funds appropriated in this

Contingent General Fund appropriation to the Department of Justice for consumer education and the enforcement of consumer fraud law. The appropriation is contingent on the receipt of damages due to consumer fraud lawsuits and is limited to \$1,200,000. Of this amount, \$1,125,000 is to be used for public education and enforcement purposes, and \$75,000 is to be used for investigation, prosecution, and consumer education relating to fraud against older Iowans. Requires the Department of Justice to report the Department's actual costs and an estimate of the time incurred for education and enforcement of consumer fraud law to the Chairpersons and Ranking

2 25 subsection are contingent upon receipt by the general fund of
 2 26 the state of an amount at least equal to the expenditure
 2 27 amount from damages awarded to the state or a political
 2 28 subdivision of the state by a civil consumer fraud judgment or
 2 29 settlement, if the judgment or settlement authorizes the use
 2 30 of the award for public education on consumer fraud. However,
 2 31 if the funds received as a result of these judgments and
 2 32 settlements are in excess of \$1,200,000, the excess funds
 2 33 shall not be appropriated to the department of justice
 2 34 pursuant to this subsection. The department of justice shall
 2 35 report to the co-chairpersons and ranking members of the joint
 3 1 appropriations subcommittee on the justice system, and to the
 3 2 legislative services agency by November 15, 2006, the
 3 3 department's actual costs and an estimate of the time incurred
 3 4 in providing education pursuant to and enforcing this
 3 5 subsection.

Members of the Justice System Appropriations Subcommittee and the LSA by November 15, 2006.

DETAIL: Maintains current level of contingent funding.

3 6 4. The balance of the victim compensation fund established
 3 7 in section 915.94 may be used to provide salary and support of
 3 8 not more than 22 FTEs and to provide maintenance for the
 3 9 victim compensation functions of the department of justice.

Permits 22.00 FTE positions to be funded from the Victim Compensation Fund to administer the victim compensation functions of the Department of Justice. Maintains the current level of FTE positions.

3 10 5. As a condition of receiving the appropriation in
 3 11 subsection 1, the department of justice shall transfer at
 3 12 least \$2,450,000 from the victim compensation fund established
 3 13 in section 915.94 to the victim assistance grant program.

Requires the Department of Justice to transfer at least \$2,450,000 from the Victim Compensation Fund to the Victim Assistance Grants Program in FY 2007.

DETAIL: Maintains current level of support.

3 14 6. a. The department of justice, in submitting budget
 3 15 estimates for the fiscal year commencing July 1, 2007,
 3 16 pursuant to section 8.23, shall include a report of funding
 3 17 from sources other than amounts appropriated directly from the
 3 18 general fund of the state to the department of justice or to
 3 19 the office of consumer advocate. These funding sources shall
 3 20 include, but are not limited to, reimbursements from other

Requires the Department of Justice, in submitting FY 2008 budget estimates, to submit a report to the Department of Management (DOM) that specifies the amount of funding from all sources other than the General Fund. The report is to include actual reimbursements from other fund accounts for FY 2006 and FY 2007.

3 21 state agencies, commissions, boards, or similar entities, and
3 22 reimbursements from special funds or internal accounts within
3 23 the department of justice. The department of justice shall
3 24 report actual reimbursements for the fiscal year commencing
3 25 July 1, 2005, and actual and expected reimbursements for the
3 26 fiscal year commencing July 1, 2006.

3 27 b. The department of justice shall include the report
3 28 required under paragraph "a", as well as information regarding
3 29 any revisions occurring as a result of reimbursements actually
3 30 received or expected at a later date, in a report to the co-
3 31 chairpersons and ranking members of the joint appropriations
3 32 subcommittee on the justice system and the legislative
3 33 services agency. The department of justice shall submit the
3 34 report on or before January 15, 2007.

Requires the Department of Justice to submit a report that specifies the amount of funding from all sources other than the General Fund and any revisions that occur as a result of actual reimbursements. The report is to be submitted to the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee and the LSA by January 15, 2007.

3 35 Sec. 2. DEPARTMENT OF JUSTICE -- ENVIRONMENTAL CRIMES
4 1 INVESTIGATION AND PROSECUTION -- FUNDING. There is
4 2 appropriated from the environmental crime fund of the
4 3 department of justice, consisting of court-ordered fines and
4 4 penalties awarded to the department arising out of the
4 5 prosecution of environmental crimes, to the department of
4 6 justice for the fiscal year beginning July 1, 2006, and ending
4 7 June 30, 2007, an amount not exceeding \$20,000 to be used by
4 8 the department, at the discretion of the attorney general, for
4 9 the investigation and prosecution of environmental crimes,
4 10 including the reimbursement of expenses incurred by county,
4 11 municipal, and other local governmental agencies cooperating
4 12 with the department in the investigation and prosecution of
4 13 environmental crimes.
4 14 The funds appropriated in this section are contingent upon
4 15 receipt by the environmental crime fund of the department of
4 16 justice of an amount at least equal to the appropriations made
4 17 in this section and received from contributions, court-ordered
4 18 restitution as part of judgments in criminal cases, and

Contingent appropriation from the Environmental Crime Fund of up to \$20,000 to the Department of Justice. The appropriation is contingent on receipt of contributions, court-ordered restitution, and consent decrees as a part of civil or regulatory enforcement actions. The funds are to be used for the investigation and prosecution of environmental crimes.

DETAIL: Maintains current level of contingent funding.

4 19 consent decrees entered into as part of civil or regulatory
 4 20 enforcement actions. However, if the funds received during
 4 21 the fiscal year are in excess of \$20,000, the excess funds
 4 22 shall be deposited in the general fund of the state.

4 23 Notwithstanding section 8.33, moneys appropriated in this
 4 24 section that remain unencumbered or unobligated at the close
 4 25 of the fiscal year shall not revert but shall remain available
 4 26 for expenditure for the purpose designated until the close of
 4 27 the succeeding fiscal year.

CODE: Allows any ending balance of the contingent appropriation from the Environmental Crime Fund to carry forward into the next fiscal year.

4 28 Sec. 3. OFFICE OF CONSUMER ADVOCATE. There is
 4 29 appropriated from the general fund of the state to the office
 4 30 of consumer advocate of the department of justice for the
 4 31 fiscal year beginning July 1, 2006, and ending June 30, 2007,
 4 32 the following amount, or so much thereof as is necessary, to
 4 33 be used for the purposes designated:
 4 34 For salaries, support, maintenance, miscellaneous purposes,
 4 35 and for not more than the following full-time equivalent
 5 1 positions:
 5 2 \$ 2,887,017
 5 3 FTEs 27.00

General Fund appropriation to the Department of Justice for the Office of the Consumer Advocate.

DETAIL: Maintains current level of General Fund support and FTE positions.

5 4 Sec. 4. DEPARTMENT OF CORRECTIONS -- FACILITIES.

5 5 1. There is appropriated from the general fund of the
 5 6 state to the department of corrections for the fiscal year
 5 7 beginning July 1, 2006, and ending June 30, 2007, the
 5 8 following amounts, or so much thereof as is necessary, to be
 5 9 used for the purposes designated:
 5 10 For the operation of adult correctional institutions,
 5 11 reimbursement of counties for certain confinement costs, and
 5 12 federal prison reimbursement, to be allocated as follows:

5 13 a. For the operation of the Fort Madison correctional

General Fund appropriation to the Department of Corrections (DOC)

5 14 facility, including salaries, support, maintenance, and
 5 15 miscellaneous purposes:
 5 16 \$ 42,423,619

for the Fort Madison Correctional Facility.

DETAIL: This is an increase of \$1,934,064 and 36.70 FTE positions compared to the estimated FY 2006 General Fund appropriation. The change includes:

- An increase of \$56,398 for Department of Administrative Services (DAS) reimbursements.
- An increase of \$399,351 for increased costs and usage of food, fuel, and pharmacy.
- An increase of \$1,066,050 and 23.70 FTE positions to staff the security towers at the Iowa State Penitentiary.
- An increase of \$412,265 and 13.00 FTE positions for mental health treatment staff to meet the recommendations of the National Institute of Corrections.

NOTE: SF 2273 contains an FY 2006 General Fund supplemental appropriation of \$1,557,273 for the Iowa State Penitentiary at Fort Madison. If enacted, the net increase is \$376,791.

5 17 b. For the operation of the Anamosa correctional facility,
 5 18 including salaries, support, maintenance, and miscellaneous
 5 19 purposes:
 5 20 \$ 28,903,747

General Fund appropriation to the DOC for the Anamosa Correctional Facility.

DETAIL: This is an increase of \$586,031 and a decrease of 1.00 FTE position compared to the estimated FY 2006 General Fund appropriation. The change includes:

- An increase of \$51,083 for DAS reimbursements.
- An increase of \$382,923 for increased costs and usage of food, fuel, and pharmacy.
- An increase of \$152,025 to hook up to the City of Anamosa's water system.
- A decrease of 1.00 FTE position for a budget adjustment.

NOTE: SF 2273 contains an FY 2006 General Fund supplemental appropriation of \$145,939 for the Anamosa State Penitentiary. If enacted, the net increase is \$440,092.

5 21 Moneys are provided within this appropriation for one full-
 5 22 time substance abuse counselor for the Luster Heights
 5 23 facility, for the purpose of certification of a substance
 5 24 abuse program at that facility.

Specifies that funds be provided for one substance abuse counselor to be employed at the Luster Heights Facility.

5 25 c. For the operation of the Oakdale correctional facility,
 5 26 including salaries, support, maintenance, and miscellaneous
 5 27 purposes:
 5 28 \$ 28,758,965

General Fund appropriation to the DOC for the Oakdale Correctional Facility.

DETAIL: This is an increase of \$2,603,024 and 31.00 FTE positions compared to the estimated FY 2006 General Fund appropriation. The change includes:

- An increase of \$27,286 for DAS reimbursements.
- An increase of \$265,423 for increased costs and usage of food, fuel, and pharmacy.
- An increase of \$2,310,315 and 31.00 FTE positions for the 178-bed Special Needs Unit currently under construction. This amount funds 270 new positions for 27 days in FY 2007.

NOTE: SF 2273 contains an FY 2006 General Fund supplemental appropriation of \$205,264 for the Iowa Medical Classification Center at Oakdale. If enacted, the net increase is \$2,397,760.

5 29 d. For the operation of the Newton correctional facility,
 5 30 including salaries, support, maintenance, and miscellaneous
 5 31 purposes:
 5 32 \$ 26,100,342

General Fund appropriation to the DOC for the Newton Correctional Facility.

DETAIL: This is an increase of \$224,621 and a decrease of 1.00 FTE position compared to the estimated FY 2006 General Fund appropriation. The change includes:

- An increase of \$43,958 for DAS reimbursements.
- An increase of \$180,663 for increased costs and usage of food, fuel, and pharmacy.
- A decrease of 1.00 FTE position for a budget adjustment.

NOTE: SF 2273 contains an FY 2006 General Fund supplemental appropriation of \$169,669 for the Newton Correctional Facility. If

enacted, the net increase is \$54,952.

5 33 e. For the operation of the Mt. Pleasant correctional
 5 34 facility, including salaries, support, maintenance, and
 5 35 miscellaneous purposes:
 6 1 \$ 24,929,418

General Fund appropriation to the DOC for the Mount Pleasant Correctional Facility.

DETAIL: This is an increase of \$429,854 and 4.00 FTE positions compared to the estimated FY 2006 General Fund appropriation. The change includes:

- An increase of \$13,858 for DAS reimbursements.
- An increase of \$165,996 for increased costs and usage of food, fuel, and pharmacy.
- An increase of \$250,000 and 4.00 FTE positions for the Sex Offender Treatment Program to comply with the provisions of HF 619 (FY 2006 Sex Offender Treatment Program).

NOTE: SF 2273 contains an FY 2006 General Fund supplemental appropriation of \$84,245 for the Mount Pleasant Correctional Facility. If enacted, the net increase is \$345,609.

6 2 f. For the operation of the Rockwell City correctional
 6 3 facility, including salaries, support, maintenance, and
 6 4 miscellaneous purposes:
 6 5 \$ 8,554,855

General Fund appropriation to the DOC for the Rockwell City Correctional Facility.

DETAIL: This is an increase of \$128,323 and a decrease of 1.00 FTE position compared to the estimated FY 2006 General Fund appropriation. The change includes:

- An increase of \$19,950 for DAS reimbursements.
- An increase of \$108,373 for increased costs and usage of food, fuel, and pharmacy.
- A decrease of 1.00 FTE position for a budget adjustment.

NOTE: SF 2273 contains an FY 2006 General Fund supplemental appropriation of \$48,646 for the Rockwell City Correctional Facility. If enacted, the net increase is \$79,677.

6 6 g. For the operation of the Clarinda correctional

General Fund appropriation to the DOC for the Clarinda Correctional

6 7 facility, including salaries, support, maintenance, and
 6 8 miscellaneous purposes:
 6 9 \$ 24,251,587

Facility.

DETAIL: This is an increase of \$263,260 and 0.40 FTE position compared to the estimated FY 2006 General Fund appropriation. The change includes:

- An increase of \$35,863 for DAS reimbursements.
- An increase of \$227,397 for increased costs and usage of food, fuel, and pharmacy.
- An increase of 0.40 FTE position for a budget adjustment.

NOTE: SF 2273 contains an FY 2006 General Fund supplemental appropriation of \$117,463 for the Clarinda Correctional Facility. If enacted, the net increase is \$145,797.

6 10 Moneys received by the department of corrections as
 6 11 reimbursement for services provided to the Clarinda youth
 6 12 corporation are appropriated to the department and shall be
 6 13 used for the purpose of operating the Clarinda correctional
 6 14 facility.

Appropriates reimbursements from the Clarinda Youth Academy to the DOC for operating costs associated with the Clarinda Correctional Facility.

DETAIL: The Clarinda Youth Academy's annual reimbursement to the prison is approximately \$1,000,000.

6 15 h. For the operation of the Mitchellville correctional
 6 16 facility, including salaries, support, maintenance, and
 6 17 miscellaneous purposes:
 6 18 \$ 14,925,151

General Fund appropriation to the DOC for the Mitchellville Correctional Facility.

DETAIL: This is an increase of \$447,011 and a decrease of 1.00 FTE position compared to the estimated FY 2006 General Fund appropriation. The change includes:

- An increase of \$18,369 for DAS reimbursements.
- An increase of \$238,457 for increased costs and usage of food, fuel, and pharmacy.
- An increase of \$190,185 for the Substance Abuse Therapeutic Community Treatment Program.
- A decrease of 1.00 FTE position for a budget adjustment.

NOTE: SF 2273 contains an FY 2006 General Fund supplemental

	appropriation of \$67,630 for the Mitchellville Correctional Facility. If enacted, the net increase is \$379,381.
6 19 i. For the operation of the Fort Dodge correctional	
6 20 facility, including salaries, support, maintenance, and	General Fund appropriation to the DOC for the Fort Dodge
6 21 miscellaneous purposes:	Correctional Facility.
6 22 \$ 27,758,806	DETAIL: This is an increase of \$238,275 and no change in FTE
	positions compared to the estimated FY 2006 General Fund
	appropriation. The change includes:
	<ul style="list-style-type: none">• An increase of \$38,234 for DAS reimbursements.• An increase of \$200,041 for increased costs and usage of food, fuel, and pharmacy.
	NOTE: SF 2273 contains an FY 2006 General Fund supplemental
	appropriation of \$123,396 for the Fort Dodge Correctional Facility. If enacted, the net increase is \$114,879.
6 23 j. For reimbursement of counties for temporary confinement	
6 24 of work release and parole violators, as provided in sections	General Fund appropriation to the DOC for the County Confinement
6 25 901.7, 904.908, and 906.17 and for offenders confined pursuant	Account to pay for holding alleged parole and work release violators
6 26 to section 904.513:	until their revocation hearing.
6 27 \$ 799,954	DETAIL: This is an increase of \$125,000 compared to the estimated
	FY 2006 General fund appropriation, based on actual FY 2005
	expenditures.
	NOTE: SF 2273 contains an FY 2006 General Fund supplemental
	appropriation of \$125,000 for the County Confinement Account. If enacted, there is no change in the funding level.
6 28 k. For federal prison reimbursement, reimbursements for	
6 29 out-of-state placements, and miscellaneous contracts:	General Fund appropriation to the DOC to reimburse the federal
6 30 \$ 241,293	Bureau of Prisons for confining Iowa inmates and to pay
	miscellaneous contracts.
	DETAIL: Maintains current level of General Fund support.

6 31 2. The department of corrections shall use funds
 6 32 appropriated in subsection 1 to continue to contract for the
 6 33 services of a Muslim imam.

Requires the DOC to contract with a Muslim imam to provide religious services and religious counseling.

DETAIL: This contract is required pursuant to a federal court order.

6 34 Sec. 5. DEPARTMENT OF CORRECTIONS -- ADMINISTRATION.

6 35 1. There is appropriated from the general fund of the
 7 1 state to the department of corrections for the fiscal year
 7 2 beginning July 1, 2006, and ending June 30, 2007, the
 7 3 following amounts, or so much thereof as is necessary, to be
 7 4 used for the purposes designated:

7 5 a. For general administration, including salaries,
 7 6 support, maintenance, employment of an education director to
 7 7 administer a centralized education program for the
 7 8 correctional system, and miscellaneous purposes:
 7 9 \$ 3,872,634

General Fund appropriation to the DOC for the Central Office.

DETAIL: This is an increase of \$932,997 and 1.00 FTE position compared to the estimated FY 2006 General Fund appropriation. The change includes:

- An increase of \$85,317 for DAS reimbursements.
- An increase of \$765,090 for salary costs for Central Office.
- An increase of \$82,590 and 1.00 FTE position for an Administrative Law Judge for holding hearings for sex offenders who contest their risk assessment.

NOTE: SF 2273 contains an FY 2006 General Fund supplemental appropriation of \$625,000 for the Central Office. If enacted, the net increase is \$307,997.

7 10 (1) It is the intent of the general assembly that as a
 7 11 condition of receiving the appropriation provided in this
 7 12 lettered paragraph, the department of corrections shall not,
 7 13 except as otherwise provided in subparagraph (3), enter into a
 7 14 new contract, unless the contract is a renewal of an existing
 7 15 contract, for the expenditure of moneys in excess of \$100,000
 7 16 during the fiscal year beginning July 1, 2006, for the
 7 17 privatization of services performed by the department using

Specifies that it is the intent of the General Assembly that, as a condition of receiving appropriated funds, the DOC not enter into a contract in excess of \$100,000 for privatized services during FY 2006 without prior notification of the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee. Existing contracts may be renewed without notification.

7 18 state employees as of July 1, 2006, or for the privatization
 7 19 of new services by the department, without prior consultation
 7 20 with any applicable state employee organization affected by
 7 21 the proposed new contract and prior notification of the co-
 7 22 chairpersons and ranking members of the joint appropriations
 7 23 subcommittee on the justice system.

7 24 (2) It is the intent of the general assembly that each
 7 25 lease negotiated by the department of corrections with a
 7 26 private corporation for the purpose of providing private
 7 27 industry employment of inmates in a correctional institution
 7 28 shall prohibit the private corporation from utilizing inmate
 7 29 labor for partisan political purposes for any person seeking
 7 30 election to public office in this state and that a violation
 7 31 of this requirement shall result in a termination of the lease
 7 32 agreement.

Specifies that it is the intent of the General Assembly that the DOC prohibit the use of inmate labor for partisan political activities within Iowa when contracting for inmate workers to be employed by a private business. Violation of these contract terms will result in termination of the contract.

7 33 (3) It is the intent of the general assembly that as a
 7 34 condition of receiving the appropriation provided in this
 7 35 lettered paragraph, the department of corrections shall not
 8 1 enter into a lease or contractual agreement pursuant to
 8 2 section 904.809 with a private corporation for the use of
 8 3 building space for the purpose of providing inmate employment
 8 4 without providing that the terms of the lease or contract
 8 5 establish safeguards to restrict, to the greatest extent
 8 6 feasible, access by inmates working for the private
 8 7 corporation to personal identifying information of citizens.

Specifies that it is the intent of the General Assembly that, as a condition of receiving the appropriated funds, the DOC, when contracting with a private business for inmate employment, shall restrict inmates' access to citizens' personal identifying information.

8 8 b. For educational programs for inmates at state penal
 8 9 institutions:
 8 10 \$ 1,070,358

General Fund appropriation to the DOC for educational programs for inmates.

DETAIL: This is an increase of \$12,000 compared to the estimated FY 2006 General Fund appropriation.

8 11 It is the intent of the general assembly that moneys

Specifies that it is the intent of the General Assembly that these funds

8 12 appropriated in this lettered paragraph shall be used solely
 8 13 for the purpose indicated and that the moneys shall not be
 8 14 transferred for any other purpose. In addition, it is the
 8 15 intent of the general assembly that the department shall
 8 16 consult with the community colleges in the areas in which the
 8 17 institutions are located to utilize moneys appropriated in
 8 18 this lettered paragraph to fund the high school completion,
 8 19 high school equivalency diploma, adult literacy, and adult
 8 20 basic education programs in a manner so as to maintain these
 8 21 programs at the institutions.
 8 22 To maximize the funding for educational programs, the
 8 23 department shall establish guidelines and procedures to
 8 24 prioritize the availability of educational and vocational
 8 25 training for inmates based upon the goal of facilitating an
 8 26 inmate's successful release from the correctional institution.
 8 27 The director of the department of corrections may transfer
 8 28 moneys from Iowa prison industries for use in educational
 8 29 programs for inmates.

be used only for inmate education. Also requires the DOC to consult with community colleges located within the area of the prisons regarding how to maintain the high school completion, high school equivalency diploma, adult literacy, and adult basic education programs at the Institutions. Requires the DOC to establish guidelines and procedures to prioritize admission to educational and vocational programs to facilitate inmates' successful release from prison. Permits the DOC to transfer funds from the Iowa Prison Industries Revolving Fund for educational programs for inmates.

8 30 Notwithstanding section 8.33, moneys appropriated in this
 8 31 lettered paragraph that remain unobligated or unexpended at
 8 32 the close of the fiscal year shall not revert but shall remain
 8 33 available for expenditure only for the purpose designated in
 8 34 this lettered paragraph until the close of the succeeding
 8 35 fiscal year.

CODE: Requires nonreversion of funds.

9 1 c. For the development of the Iowa corrections offender
 9 2 network (ICON) data system:
 9 3 \$ 427,700

General Fund appropriation to the DOC for the Iowa Corrections Offender Network (ICON).

DETAIL: Maintains current level of General Fund support.

9 4 d. For offender mental health and substance abuse
 9 5 treatment:
 9 6 \$ 25,000

General Fund appropriation to the DOC for mental health and substance abuse treatment.

DETAIL: Maintains current level of General Fund support.

9 7 e. For viral hepatitis prevention and treatment:
9 8 \$ 188,000

General Fund appropriation to the DOC for viral hepatitis prevention and treatment.

DETAIL: This is a new appropriation for FY 2007.

9 9 2. It is the intent of the general assembly that the
9 10 department of corrections shall continue to operate the
9 11 correctional farms under the control of the department at the
9 12 same or greater level of participation and involvement as
9 13 existed as of January 1, 2006, shall not enter into any rental
9 14 agreement or contract concerning any farmland under the
9 15 control of the department that is not subject to a rental
9 16 agreement or contract as of January 1, 2006, without prior
9 17 legislative approval, and shall further attempt to provide job
9 18 opportunities at the farms for inmates. The department shall
9 19 attempt to provide job opportunities at the farms for inmates
9 20 by encouraging labor-intensive farming or gardening where
9 21 appropriate, using inmates to grow produce and meat for
9 22 institutional consumption, researching the possibility of
9 23 instituting food canning and cook-and-chill operations, and
9 24 exploring opportunities for organic farming and gardening,
9 25 livestock ventures, horticulture, and specialized crops.

Specifies that it is the intent of the General Assembly that the DOC continue farm operations at the same or greater level as existed on January 1, 2006. The DOC is prohibited from renting farmland under the control of the DOC that is not currently being rented without legislative approval. The DOC is to provide meaningful job opportunities for inmates employed on the farms.

9 26 3. The department shall work to increase produce gardening
9 27 by inmates under the control of the correctional institutions,
9 28 and, if appropriate, may use the central distribution network
9 29 at the Woodward state resource center. The department shall
9 30 file a report with the co-chairpersons and ranking members of
9 31 the joint appropriations subcommittee on the justice system by
9 32 December 1, 2006, regarding the feasibility of expanding the
9 33 number of acres devoted to organic gardening and to the
9 34 growing of organic produce for sale.

Requires the DOC to increase produce gardening by inmates and, if appropriate, permits the DOC to use the central distribution network at the Woodward State Resource Center. Requires the DOC to file a report with the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee by December 1, 2006, regarding the feasibility of expanding the number of acres devoted to organic gardening and to growing organic produce for sale.

9 35 4. The department of corrections shall submit a report to

Requires the DOC to submit a report to the General Assembly by January 1, 2006, concerning the FY 2005 revenues recouped from

10 1 the general assembly by January 1, 2007, concerning moneys
 10 2 recouped from inmate earnings for the reimbursement of
 10 3 operational expenses of the applicable facility during the
 10 4 fiscal year beginning July 1, 2005, for each correctional
 10 5 institution and judicial district department of correctional
 10 6 services. In addition, each correctional institution and
 10 7 judicial district department of correctional services shall
 10 8 continue to submit a report to the legislative services agency
 10 9 on a monthly basis concerning moneys recouped from inmate
 10 10 earnings pursuant to sections 904.702, 904.809, and 905.14.

inmate earnings for operational expenses for each prison and Community-Based Corrections (CBC) District Department. Each prison and CBC District Department is required to submit monthly reports to the LSA concerning funds recovered from offenders for inmate deductions, private sector employment of inmates, and enrollment fees.

10 11 5. It is the intent of the general assembly that as a
 10 12 condition of receiving the appropriation provided in
 10 13 subsection 1, the department shall not enter into any
 10 14 agreement with a private sector nongovernmental entity for the
 10 15 purpose of housing inmates committed to the custody of the
 10 16 director of the department, without express authorization of
 10 17 the general assembly to do so.

Prohibits the DOC from contracting with a private sector nongovernmental entity to house inmates, unless authorized by the General Assembly.

10 18 Sec. 6. JUDICIAL DISTRICT DEPARTMENTS OF CORRECTIONAL
 10 19 SERVICES.

10 20 1. There is appropriated from the general fund of the
 10 21 state to the department of corrections for the fiscal year
 10 22 beginning July 1, 2006, and ending June 30, 2007, the
 10 23 following amounts, or so much thereof as is necessary, to be
 10 24 allocated as follows:

10 25 a. For the first judicial district department of
 10 26 correctional services, including the treatment and supervision
 10 27 of probation and parole violators who have been released from
 10 28 the department of corrections violator program, the following
 10 29 amount, or so much thereof as is necessary:
 10 30 \$ 11,187,038

General Fund appropriation to the DOC for the First CBC District Department.

DETAIL: This is an increase of \$143,933 and a decrease of 2.40 FTE positions compared to the estimated FY 2006 General Fund appropriation. The change includes:

		<ul style="list-style-type: none"> • An increase of \$1 for DAS reimbursements. • An increase of \$31,450 for increased costs and usage of food, fuel, and pharmacy. • An increase of \$112,482 and 2.00 FTE positions for Parole/Probation Officers for sex offender supervision and monitoring. • A decrease of 4.40 FTE positions for a budget adjustment.
10 31	b. For the second judicial district department of	General Fund appropriation to the DOC for the Second CBC District Department.
10 32	correctional services, including the treatment and supervision	
10 33	of probation and parole violators who have been released from	
10 34	the department of corrections violator program, the following	DETAIL: This is an increase of \$124,424 and 2.00 FTE positions compared to the estimated FY 2006 General Fund appropriation. The change includes:
10 35	amount, or so much thereof as is necessary:	
11 1 \$ 8,866,289	<ul style="list-style-type: none"> • An increase of \$492 for DAS reimbursements. • An increase of \$11,450 for increased costs and usage of food, fuel, and pharmacy. • An increase of \$112,482 and 2.00 FTE positions for Parole/Probation Officers for sex offender supervision and monitoring.
11 2	c. For the third judicial district department of	General Fund appropriation to the DOC for the Third CBC District Department.
11 3	correctional services, including the treatment and supervision	
11 4	of probation and parole violators who have been released from	
11 5	the department of corrections violator program, the following	DETAIL: This is an increase of \$118,830 and 1.00 FTE position compared to the estimated FY 2006 General Fund appropriation. The change includes:
11 6	amount, or so much thereof as is necessary:	
11 7 \$ 5,230,178	<ul style="list-style-type: none"> • An increase of \$6,348 for increased costs and usage of food, fuel, and pharmacy. • An increase of \$112,482 and 2.00 FTE positions for Parole/Probation Officers for sex offender supervision and monitoring. • A decrease of 1.00 FTE position for a budget adjustment.
11 8	d. For the fourth judicial district department of	General Fund appropriation to the DOC for the Fourth CBC District

11 9 correctional services, including the treatment and supervision
 11 10 of probation and parole violators who have been released from
 11 11 the department of corrections violator program, the following
 11 12 amount, or so much thereof as is necessary:
 11 13 \$ 4,754,670

Department.

DETAIL: This is an increase of \$77,146 and 1.00 FTE position compared to the estimated FY 2006 General Fund appropriation. The change includes:

- An increase of \$8,664 for DAS reimbursements.
- An increase of \$12,241 for increased costs and usage of food, fuel, and pharmacy
- An increase of \$56,241 and 1.00 FTE position for Parole/Probation Officers for sex offender supervision and monitoring.

11 14 e. For the fifth judicial district department of
 11 15 correctional services, including the treatment and supervision
 11 16 of probation and parole violators who have been released from
 11 17 the department of corrections violator program, and funding
 11 18 for electronic monitoring devices for use on a statewide
 11 19 basis, the following amount, or so much thereof as is
 11 20 necessary:
 11 21 \$ 16,290,113

General Fund appropriation to the DOC for the Fifth CBC District Department.

DETAIL: This is an increase of \$1,367,204 and 8.00 FTE positions compared to the estimated FY 2006 General Fund appropriation. The change includes:

- An increase of \$4,880 for DAS reimbursements.
- An increase of \$38,500 for increased costs and usage of food, fuel, and pharmacy.
- An increase of \$1,323,824 and 8.00 FTE positions for sex offender supervision and monitoring. This amount includes 2.00 Parole/Probation Officers and 6.00 Residential Officers to provide a centralized location for statewide notification of electronic monitoring violations. This amount also includes \$948,326 for the rental of Global Positioning System (GPS) electronic monitoring devices.

11 22 f. For the sixth judicial district department of
 11 23 correctional services, including the treatment and supervision
 11 24 of probation and parole violators who have been released from
 11 25 the department of corrections violator program, the following
 11 26 amount, or so much thereof as is necessary:

General Fund appropriation to the DOC for the Sixth CBC District Department.

DETAIL: This is an increase of \$163,924 and no change in FTE positions compared to the estimated FY 2006 General Fund appropriation. The change includes:

11 27 \$ 11,098,945

- An increase of \$21,796 for DAS reimbursements.
- An increase of \$29,646 for increased costs and usage of food, fuel, and pharmacy.
- An increase of \$112,482 and 2.00 FTE positions for Parole/Probation Officers for sex offender supervision and monitoring.
- A decrease of 2.00 FTE positions for a budget adjustment.

11 28 g. For the seventh judicial district department of
 11 29 correctional services, including the treatment and supervision
 11 30 of probation and parole violators who have been released from
 11 31 the department of corrections violator program, the following
 11 32 amount, or so much thereof as is necessary:
 11 33 \$ 6,292,137

General Fund appropriation to the DOC for the Seventh CBC District Department.

DETAIL: This is an increase of \$143,759 and 0.25 FTE position compared to the estimated FY 2006 General Fund appropriation. The change includes:

- An increase of \$209 for DAS reimbursements.
- An increase of \$31,068 for increased costs and usage of food, fuel, and pharmacy.
- An increase of \$112,482 and 2.00 FTE positions for Parole/Probation Officers for sex offender supervision and monitoring.
- A decrease of 1.75 FTE positions for a budget adjustment.

11 34 h. For the eighth judicial district department of
 11 35 correctional services, including the treatment and supervision
 12 1 of probation and parole violators who have been released from
 12 2 the department of corrections violator program, the following
 12 3 amount, or so much thereof as is necessary:
 12 4 \$ 6,346,303

General Fund appropriation to the DOC for the Eighth CBC District Department.

DETAIL: This is an increase of \$136,485 and 2.30 FTE positions compared to the estimated FY 2006 General Fund appropriation. The change includes:

- An increase of \$5,783 for DAS reimbursements.
- An increase of \$18,220 for increased costs and usage of food, fuel, and pharmacy.
- An increase of \$112,482 and 2.00 FTE positions for Parole/Probation Officers for sex offender supervision and

		monitoring.
		<ul style="list-style-type: none"> • An increase of 0.30 FTE position for a budget adjustment.
12 5	i. For a transitional housing pilot project for offenders	
12 6	on parole who are in the early stages of recovery from	General Fund appropriation to the DOC for a transitional housing pilot
12 7	substance abuse:	project for offenders on parole.
12 8 \$ 20,000	DETAIL: This is a new appropriation for FY 2007.
12 9	2. Each judicial district department of correctional	
12 10	services, within the funding available, shall continue	Requires each CBC District Department, within available funding, to
12 11	programs and plans established within that district to provide	continue programs and plans established within the District
12 12	for intensive supervision, sex offender treatment, diversion	Department for intensive supervision, sex offender treatment,
12 13	of low-risk offenders to the least restrictive sanction	diversion of low-risk offenders to the least restrictive sanction
12 14	available, job development, and expanded use of intermediate	available, job development, and expanded use of intermediate
12 15	criminal sanctions.	sanctions.
12 16	3. Each judicial district department of correctional	
12 17	services shall provide alternatives to prison consistent with	Requires each CBC District Department to provide alternatives to
12 18	chapter 901B. The alternatives to prison shall ensure public	prison consistent with statute. Permits the District Departments to
12 19	safety while providing maximum rehabilitation to the offender.	establish day programs.
12 20	A judicial district department may also establish a day	
12 21	program.	
12 22	4. The governor's office of drug control policy shall	
12 23	consider federal grants made to the department of corrections	Requires the Office of Drug Control Policy to consider grants made to
12 24	for the benefit of each of the eight judicial district	the DOC for the benefit of the CBC District Departments as local
12 25	departments of correctional services as local government	government grants rather than State government grants or as defined
12 26	grants, as defined pursuant to federal regulations.	by federal regulations.
12 27	5. The department of corrections shall continue to	
12 28	contract with a judicial district department of correctional	Requires the DOC to contract with a CBC District Department for the
12 29	services to provide for the rental of electronic monitoring	rental of electronic monitoring equipment.
12 30	equipment which shall be available statewide.	DETAIL: The DOC contracts with the Fifth CBC District Department

for electronic monitoring devices that are available statewide.

12 31 Sec. 7. DEPARTMENT OF CORRECTIONS -- REALLOCATION OF
12 32 APPROPRIATIONS. Notwithstanding section 8.39, within the
12 33 funds appropriated in this Act to the department of
12 34 corrections, the department may reallocate the funds
12 35 appropriated and allocated as necessary to best fulfill the
13 1 needs of the correctional institutions, administration of the
13 2 department, and the judicial district departments of
13 3 correctional services. However, in addition to the
13 4 requirements of sections 904.116 and 905.8 and providing
13 5 notice to the legislative services agency, the department of
13 6 corrections shall also provide notice to the department of
13 7 management, prior to the effective date of the revision or
13 8 reallocation or an appropriation made pursuant to this
13 9 section. The department shall not reallocate an appropriation
13 10 or allocation for the purpose of eliminating any program.

CODE: Permits the DOC to reallocate appropriations between the correctional institutions, Central Office, and CBC District Departments. Requires the DOC to provide notice to the Department of Management and the LSA before reallocating the funds. Prohibits the reallocation of funds to eliminate a program.

13 11 Sec. 8. INTENT -- REPORTS.

13 12 1. The department of corrections shall submit a report on
13 13 inmate labor to the general assembly, to the co-chairpersons
13 14 and the ranking members of the joint appropriations
13 15 subcommittee on the justice system, and to the legislative
13 16 services agency by January 15, 2007. The report shall
13 17 specifically address the progress the department has made in
13 18 implementing the requirements of section 904.701, inmate labor
13 19 on capital improvement projects, community work crews, inmate
13 20 produce gardening, and private-sector employment.

Requires the DOC to submit a report regarding inmate labor to the General Assembly, Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee, and the LSA by January 15, 2007. Specifies the content of the report.

13 21 2. The department in cooperation with townships, the Iowa
13 22 cemetery associations, and other nonprofit or governmental
13 23 entities may use inmate labor to restore or preserve rural

Permits the DOC to work with nonprofit and governmental entities to use inmate labor to restore or preserve rural cemeteries or historical landmarks, and to clean up roads and water resources.

13 24 cemeteries and historical landmarks. The department in
13 25 cooperation with the counties may also use inmate labor to
13 26 clean up roads, major water sources, and other water sources
13 27 around the state.

13 28 3. Each month the department shall provide a status report
13 29 regarding private-sector employment to the legislative
13 30 services agency beginning on July 1, 2006. The report shall
13 31 include the number of offenders employed in the private
13 32 sector, the combined number of hours worked by the offenders,
13 33 and the total amount of allowances, and the distribution of
13 34 allowances pursuant to section 904.702, including any moneys
13 35 deposited in the general fund of the state.

Requires the DOC to provide a monthly status report to the LSA regarding private sector employment of inmates.

14 1 Sec. 9. ELECTRONIC MONITORING REPORT. The department of
14 2 corrections shall submit a report on electronic monitoring to
14 3 the general assembly, to the co-chairpersons and the ranking
14 4 members of the joint appropriations subcommittee on the
14 5 justice system, and to the legislative services agency by
14 6 January 15, 2007. The report shall specifically address the
14 7 number of persons being electronically monitored and break
14 8 down the number of persons being electronically monitored by
14 9 offense committed. The report shall also include a comparison
14 10 of any data from the prior fiscal year with the current year.

Requires the DOC to submit a report regarding electronic monitoring to the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee, and the LSA, by January 15, 2007. Specifies the content of the report.

14 11 Sec. 10. STATE AGENCY PURCHASES FROM PRISON INDUSTRIES.

14 12 1. As used in this section, unless the context otherwise
14 13 requires, "state agency" means the government of the state of
14 14 Iowa, including but not limited to all executive branch
14 15 departments, agencies, boards, bureaus, and commissions, the
14 16 judicial branch, the general assembly and all legislative
14 17 agencies, institutions within the purview of the state board
14 18 of regents, and any corporation whose primary function is to
14 19 act as an instrumentality of the state.

14 20 2. State agencies are hereby encouraged to purchase

Encourages State agencies to buy products from Iowa Prison Industries whenever possible. Requires State agencies to obtain a bid from Iowa Prison Industries for purchases of office furniture exceeding \$5,000.

14 21 products from Iowa state industries, as defined in section
 14 22 904.802, when purchases are required and the products are
 14 23 available from Iowa state industries. State agencies shall
 14 24 obtain bids from Iowa state industries for purchases of office
 14 25 furniture exceeding \$5,000 or in accordance with applicable
 14 26 administrative rules related to purchases for the agency.

14 27 Sec. 11. CORRECTIONAL FACILITY FOR THE SUBSTANCE ABUSE
 14 28 TREATMENT OF INMATES. The department of corrections shall
 14 29 develop a proposal that designates an existing correctional
 14 30 facility as a facility that is dedicated to providing
 14 31 substance abuse treatment to offenders committed to the
 14 32 custody of the department. The proposal shall contain a
 14 33 reallocation of existing resources to convert an existing
 14 34 correctional facility to a substance abuse treatment facility,
 14 35 and outline the time period for the conversion of such a
 15 1 facility to a substance abuse facility. The department shall
 15 2 file the proposal with the legislative services agency no
 15 3 later than January 15, 2007.

Requires the DOC to develop a proposal to designate a substance abuse treatment prison using existing resources. The DOC is required to file the proposal with the LSA by January 15, 2007.

15 4 Sec. 12. STATE PUBLIC DEFENDER. There is appropriated
 15 5 from the general fund of the state to the office of the state
 15 6 public defender of the department of inspections and appeals
 15 7 for the fiscal year beginning July 1, 2006, and ending June
 15 8 30, 2007, the following amounts, or so much thereof as is
 15 9 necessary, to be allocated as follows for the purposes
 15 10 designated:

15 11 1. For salaries, support, maintenance, and miscellaneous
 15 12 purposes, and for not more than the following full-time
 15 13 equivalent positions:
 15 14 \$ 19,792,963
 15 15 FTEs 202.00

General Fund appropriation to the Department of Inspections and Appeals for the Office of the State Public Defender.

DETAIL: This is an increase of \$620,168 and no change in FTE positions compared to the estimated FY 2006 General Fund appropriation. The increase funds currently authorized positions.

15 16 2. For the fees of court-appointed attorneys for indigent
 15 17 adults and juveniles, in accordance with section 232.141 and
 15 18 chapter 815:
 15 19 \$ 25,163,082

General Fund appropriation to the Department of Inspections and Appeals for the Indigent Defense Program.

DETAIL: This is an increase of \$4,000,000 compared to the estimated FY 2006 General Fund appropriation. The increase funds a projected increase in claims from court-appointed attorneys.

NOTE: SF 2273 contains an FY 2006 supplemental appropriation of \$4,000,000 for the Indigent Defense Program. If enacted, there is no change in the funding level.

15 20 Sec. 13. IOWA LAW ENFORCEMENT ACADEMY.

15 21 1. There is appropriated from the general fund of the
 15 22 state to the Iowa law enforcement academy for the fiscal year
 15 23 beginning July 1, 2006, and ending June 30, 2007, the
 15 24 following amount, or so much thereof as is necessary, to be
 15 25 used for the purposes designated:
 15 26 For salaries, support, maintenance, miscellaneous purposes,
 15 27 including jailer training and technical assistance, and for
 15 28 not more than the following full-time equivalent positions:
 15 29 \$ 1,172,389
 15 30 FTEs 30.05

General Fund appropriation to the Iowa Law Enforcement Academy (ILEA).

DETAIL: This is an increase of \$38,200 for increased DAS fees for fuel and utilities and 0.05 FTE position compared to the estimated FY 2006 General Fund appropriation. The FTE increase is for a budget adjustment.

15 31 It is the intent of the general assembly that the Iowa law
 15 32 enforcement academy may provide training of state and local
 15 33 law enforcement personnel concerning the recognition of and
 15 34 response to persons with Alzheimer's disease.

Specifies the intent of the General Assembly that the Academy may offer training for law enforcement officers in recognizing and responding to persons with Alzheimer's disease.

15 35 The Iowa law enforcement academy may temporarily exceed and
 16 1 draw more than the amount appropriated and incur a negative
 16 2 cash balance as long as there are receivables equal to or
 16 3 greater than the negative balance and the amount appropriated
 16 4 in this subsection is not exceeded at the close of the fiscal
 16 5 year.

Allows the ILEA to incur a negative General Fund balance as long as there are equal receivables coming into the Academy by the close of the fiscal year.

DETAIL: The language is to assist with cash flow issues the Academy faces in the last quarter of the fiscal year.

16 6 2. The Iowa law enforcement academy may select at least
 16 7 five automobiles of the department of public safety, division
 16 8 of state patrol, prior to turning over the automobiles to the
 16 9 department of administrative services to be disposed of by
 16 10 public auction and the Iowa law enforcement academy may
 16 11 exchange any automobile owned by the academy for each
 16 12 automobile selected if the selected automobile is used in
 16 13 training law enforcement officers at the academy. However,
 16 14 any automobile exchanged by the academy shall be substituted
 16 15 for the selected vehicle of the department of public safety
 16 16 and sold by public auction with the receipts being deposited
 16 17 in the depreciation fund to the credit of the department of
 16 18 public safety, division of state patrol.

Allows the Academy to annually exchange at least five vehicles turned in to the State Fleet Administrator by the Department of Public Safety for any of the Academy's training vehicles. The vehicles received from the Academy are to be sold at public auction with the receipts to be deposited into the depreciation fund used to purchase new vehicles for the Department of Public Safety.

16 19 Sec. 14. BOARD OF PAROLE. There is appropriated from the
 16 20 general fund of the state to the board of parole for the
 16 21 fiscal year beginning July 1, 2006, and ending June 30, 2007,
 16 22 the following amount, or so much thereof as is necessary, to
 16 23 be used for the purposes designated:
 16 24 For salaries, support, maintenance, miscellaneous purposes,
 16 25 and for not more than the following full-time equivalent
 16 26 positions:
 16 27 \$ 1,156,960
 16 28 FTEs 17.50

General Fund appropriation to the Board of Parole.

DETAIL: This is an increase of \$5,282 and no change in FTE positions compared to the estimated FY 2006 General Fund appropriation. The increase funds increased DAS reimbursements.

16 29 Sec. 15. DEPARTMENT OF PUBLIC DEFENSE. There is
 16 30 appropriated from the general fund of the state to the
 16 31 department of public defense for the fiscal year beginning
 16 32 July 1, 2006, and ending June 30, 2007, the following amounts,
 16 33 or so much thereof as is necessary, to be used for the
 16 34 purposes designated:

16 35 1. MILITARY DIVISION

17 1 For salaries, support, maintenance, miscellaneous purposes,

General Fund appropriation to the Military Division of the Department

17 2 and for not more than the following full-time equivalent
 17 3 positions:
 17 4 \$ 5,724,545
 17 5 FTEs 316.55

of Public Defense.

DETAIL: This is an increase of \$409,086 for increased DAS fees for fuel and utilities and 4.00 FTE positions compared to the estimated FY 2006 appropriation. The FTE increase is for a budget adjustment to add federal FTE positions to the table of organization.

17 6 The military division may temporarily exceed and draw more
 17 7 than the amount appropriated and incur a negative cash balance
 17 8 as long as there are receivables of federal funds equal to or
 17 9 greater than the negative balance and the amount appropriated
 17 10 in this subsection is not exceeded at the close of the fiscal
 17 11 year.

Allows the Military Division to incur a negative cash balance as long as the Division has federal reimbursable expenses to cover the negative balance.

DETAIL: The Military Division can experience a delay of up to 30 days in federal reimbursement of eligible expenses. This authorization allows the Division to borrow State General Funds to cover federal reimbursable expenses until the federal funds are received. To alleviate the cash flow problem, the federal government has instituted an Advance Payment System that allows the State to receive an advance of federal funds in order to meet payroll and other requirements. The Division has implemented the accounting procedures to use the new System.

17 12 2. HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION

17 13 a. For salaries, support, maintenance, miscellaneous
 17 14 purposes, and for not more than the following full-time
 17 15 equivalent positions:
 17 16 \$ 1,254,029
 17 17 FTEs 24.75

General Fund appropriation to the Emergency Management Division of the Department of Public Defense.

DETAIL: This is an increase of \$615 for increased DAS fees for fuel and utilities and no change in FTE positions compared to the estimated FY 2006 General Fund appropriation.

17 18 b. For the Iowa civil air patrol:
 17 19 \$ 100,000

General Fund appropriation for the Civil Air Patrol.

DETAIL: Maintains current level of General Fund support.

17 20 Sec. 16. DEPARTMENT OF PUBLIC SAFETY. There is

17 21 appropriated from the general fund of the state to the
 17 22 department of public safety for the fiscal year beginning July
 17 23 1, 2006, and ending June 30, 2007, the following amounts, or
 17 24 so much thereof as is necessary, to be used for the purposes
 17 25 designated:

17 26 1. For the department's administrative functions,
 17 27 including the criminal justice information system, and for not
 17 28 more than the following full-time equivalent positions:
 17 29 \$ 3,656,020
 17 30 FTEs 38.00

General Fund appropriation to the Department of Public Safety for the Administrative Services Division.

DETAIL: This is an increase of \$464,146 and no change in FTE positions compared to the estimated FY 2006 General Fund appropriation. This change includes an increase in funding for increased DAS billings for rent, heat, and utilities.

NOTE: SF 2273 contains an FY 2006 General Fund supplemental appropriation of \$400,000 for the Administrative Division. If enacted, the net increase is \$64,146.

17 31 2. For the division of criminal investigation, including
 17 32 the state's contribution to the peace officers' retirement,
 17 33 accident, and disability system provided in chapter 97A in the
 17 34 amount of 17 percent of the salaries for which the funds are
 17 35 appropriated, to meet federal fund matching requirements, and
 18 1 for not more than the following full-time equivalent
 18 2 positions:
 18 3 \$ 18,673,875
 18 4 FTEs 270.50

General Fund appropriation to the Department of Public Safety for the Division of Criminal Investigation (DCI).

DETAIL: This is an increase of \$3,412,398 and 40.00 FTE positions compared to the estimated FY 2006 General Fund appropriation. The change includes:

- An increase of \$1,563,162 for 40.00 FTE positions for gaming enforcement officers.
- An increase of \$652,236 to replace one-time funding from FY 2006.
- An increase of \$197,000 for fuel and depreciation expenses.

NOTE: SF 2273 contains an FY 2006 General Fund supplemental appropriation of \$1,000,000 for the DCI. If enacted, the net increase is \$2,412,398.

18 5 The department of public safety, with the approval of the
 18 6 department of management, may employ no more than two special

Permits the Department of Public Safety to employ a maximum of two special agents and four gaming officers upon receiving approval from

18 7 agents and four gaming enforcement officers for each
 18 8 additional riverboat regulated after July 1, 2006, and one
 18 9 special agent for each racing facility which becomes
 18 10 operational during the fiscal year which begins July 1, 2006.
 18 11 One additional gaming enforcement officer, up to a total of
 18 12 four per riverboat, may be employed for each riverboat that
 18 13 has extended operations to 24 hours and has not previously
 18 14 operated with a 24-hour schedule. Positions authorized in
 18 15 this paragraph are in addition to the full-time equivalent
 18 16 positions otherwise authorized in this subsection.

the Department of Management for new riverboats licensed after July 1, 2006, and for riverboats that have extended operations to 24 hours. Also, permits the employment of one special agent for each racing facility that becomes operational during FY 2007.

18 17 3. For the criminalistics laboratory fund created in
 18 18 section 602.8108:
 18 19 \$ 342,000

General Fund appropriation for the Criminalistics Laboratory Fund.

DETAIL: Maintains current level of funding for laboratory equipment for the DCI Crime Lab.

18 20 4. a. For the division of narcotics enforcement,
 18 21 including the state's contribution to the peace officers'
 18 22 retirement, accident, and disability system provided in
 18 23 chapter 97A in the amount of 17 percent of the salaries for
 18 24 which the funds are appropriated, to meet federal fund
 18 25 matching requirements, and for not more than the following
 18 26 full-time equivalent positions:
 18 27 \$ 5,349,198
 18 28 FTEs 74.00

General Fund appropriation to the Department of Public Safety for the Narcotics Enforcement Division (DNE).

DETAIL: This is an increase of \$452,802 and a decrease of 1.00 FTE position compared to the estimated FY 2006 General Fund appropriation. Of this amount, \$336,777 annualizes the costs of the FUSION center. The Center is a criminal information database to track gangs and terrorists and maintains the salaries of seven sworn and nine civilian staff. The DNE also has an increase of \$116,025 for fuel and depreciation expenses. The FTE decrease is for a budget adjustment.

18 29 b. For the division of narcotics enforcement for
 18 30 undercover purchases:
 18 31 \$ 123,343

General Fund appropriation to the Department of Public Safety for undercover purchases.

DETAIL: Maintains current level of General Fund support.

18 32 5. a. For the division of state fire marshal, including
 18 33 the state's contribution to the peace officers' retirement,

General Fund appropriation to the Department of Public Safety for the State Fire Marshal's Office.

18 34 accident, and disability system provided in chapter 97A in the
 18 35 amount of 17 percent of the salaries for which the funds are
 19 1 appropriated, and for not more than the following full-time
 19 2 equivalent positions:

19 3 \$ 2,513,247
 19 4 FTEs 41.00

DETAIL: This is an increase of \$192,125 and a decrease of 1.00 FTE position compared to the estimated FY 2006 General Fund appropriation. This includes:

- An increase of \$100,000 to annualize the salaries of 1.75 Fire Inspectors.
- An increase of \$92,125 for increased fuel and depreciation expenses.
- A decrease of 1.00 FTE position for a budget adjustment.

19 5 b. For the division of state fire marshal, for fire
 19 6 protection services as provided through the state fire service
 19 7 and emergency response council as created in the department,
 19 8 and for not more than the following full-time equivalent
 19 9 positions:

19 10 \$ 675,820
 19 11 FTEs 10.00

General Fund appropriation to the State Fire Marshal's Office for Fire Protection Services.

DETAIL: Maintains current level of General Fund support and FTE positions.

19 12 6. For the division of state patrol, for salaries,
 19 13 support, maintenance, workers' compensation costs, and
 19 14 miscellaneous purposes, including the state's contribution to
 19 15 the peace officers' retirement, accident, and disability
 19 16 system provided in chapter 97A in the amount of 17 percent of
 19 17 the salaries for which the funds are appropriated, and for not
 19 18 more than the following full-time equivalent positions:

19 19 \$ 45,185,618
 19 20 FTEs 531.00

General Fund appropriation to the Department of Public Safety for the Iowa State Patrol.

DETAIL: This is an increase of \$1,449,700 and no change in FTE positions compared to the estimated FY 2006 General Fund appropriation. The increase is for fuel and depreciation expenses.

19 21 It is the intent of the general assembly that members of
 19 22 the state patrol be assigned to patrol the highways and roads
 19 23 in lieu of assignments for inspecting school buses for the
 19 24 school districts.

Specifies the intent of the General Assembly that the Iowa State Patrol assign education officers to perform school bus inspections rather than having road troopers perform these inspections.

19 25 7. For deposit in the sick leave benefits fund established

General Fund appropriation to create a non-reversionary fund in the

19 26 under section 80.42, for all departmental employees eligible
 19 27 to receive benefits for accrued sick leave under the
 19 28 collective bargaining agreement:
 19 29 \$ 316,179

Department of Public Safety to be used for sick leave payout. All sworn officers of the Department are eligible to receive benefits for accrued sick leave under the collective bargaining agreement.

DETAIL: Maintains current level of General Fund support.

19 30 An employee of the department of public safety who retires
 19 31 after July 1, 2006, but prior to June 30, 2007, is eligible
 19 32 for payment of life or health insurance premiums as provided
 19 33 for in the collective bargaining agreement covering the public
 19 34 safety bargaining unit at the time of retirement if that
 19 35 employee previously served in a position which would have been
 20 1 covered by the agreement. The employee shall be given credit
 20 2 for the service in that prior position as though it were
 20 3 covered by that agreement. The provisions of this subsection
 20 4 shall not operate to reduce any retirement benefits an
 20 5 employee may have earned under other collective bargaining
 20 6 agreements or retirement programs.

Allows employees of the Department of Public Safety retiring after July 1, 2006, but prior to June 30, 2007, to be eligible for insurance benefits as provided by the collective bargaining agreement. The employees must have previously served in positions that would have been covered by the agreement. This allows supervisors in the Department to keep benefits earned while under the collective bargaining agreement.

20 7 8. For costs associated with the training and equipment
 20 8 needs of volunteer fire fighters:
 20 9 \$ 699,587

General Fund appropriation to the Department of Public Safety for Volunteer Fire Fighter Training Grants.

DETAIL: Maintains current level of General Fund support.

20 10 Notwithstanding section 8.33, moneys appropriated in this
 20 11 subsection that remain unobligated or unexpended at the close
 20 12 of the fiscal year shall not revert but shall remain available
 20 13 for expenditure only for the purpose designated in this
 20 14 subsection until the close of the succeeding fiscal year.

CODE: Allows the balance remaining at the end of the fiscal year to carry forward to the next fiscal year for fire fighter training and equipment needs.

20 15 9. For capitol building and judicial building security:
 20 16 \$ 775,000

General Fund appropriation for Capitol Building and Judicial Branch building security.

DETAIL: Maintains current level of General Fund support.

20 17 Notwithstanding section 8.39, within the funds appropriated
 20 18 in this section the department of public safety may reallocate
 20 19 funds as necessary to best fulfill the needs provided for in
 20 20 the appropriation. However, the department shall not
 20 21 reallocate an appropriation made to the department in this
 20 22 section unless notice of the reallocation is given to the
 20 23 legislative services agency and the department of management
 20 24 prior to the effective date of the reallocation. The notice
 20 25 shall include information about the rationale for reallocating
 20 26 the appropriation. The department shall not reallocate an
 20 27 appropriation made in this section for the purpose of
 20 28 eliminating any program.

CODE: Allows the funds appropriated to the Department of Public Safety to be allocated as necessary to fulfill appropriation needs within the Department. The Department is not allowed to reallocate an appropriation unless notice is given to the LSA and the DOM prior to the effective date of the reallocation. The Department is not allowed to reallocate the appropriation for the purpose of eliminating a program.

20 29 Sec. 17. CIVIL RIGHTS COMMISSION. There is appropriated
 20 30 from the general fund of the state to the Iowa state civil
 20 31 rights commission for the fiscal year beginning July 1, 2006,
 20 32 and ending June 30, 2007, the following amount, or so much
 20 33 thereof as is necessary, to be used for the purposes
 20 34 designated:

20 35 For salaries, support, maintenance, miscellaneous purposes,
 21 1 and for not more than the following full-time equivalent
 21 2 positions:
 21 3 \$ 985,753
 21 4 FTEs 25.90

General Fund appropriation to the Iowa Civil Rights Commission.

DETAIL: This is no change in funding and a decrease of 2.10 FTE positions compared to the estimated FY 2006 General Fund appropriation. The decrease in FTE positions is a budget adjustment to reflect lost federal funds.

21 5 The Iowa state civil rights commission may enter into a
 21 6 contract with a nonprofit organization to provide legal
 21 7 assistance to resolve civil rights complaints.

Permits the Commission to enter into a contract with a non-profit organization for legal assistance.

21 8 Sec. 18. HOMELAND SECURITY AND EMERGENCY MANAGEMENT
 21 9 DIVISION. There is appropriated from the wireless E911
 21 10 emergency communications fund created in section 34A.7A to the

Permits continued funding from the Wireless E911 Emergency Communications Fund for the Emergency Management Division of the Department of Public Defense through FY 2007.

21 11 administrator of the homeland security and emergency
21 12 management division of the department of public defense for
21 13 the fiscal year beginning July 1, 2006, and ending June 30,
21 14 2007, an amount not exceeding \$200,000 to be used for
21 15 implementation, support, and maintenance of the functions of
21 16 the administrator and program manager under chapter 34A and to
21 17 employ the auditor of the state to perform an annual audit of
21 18 the wireless E911 emergency communications fund.

DETAIL: The Division receives up to \$200,000 for the administration of the wireless E911 service and to employ the State Auditor to perform an annual audit on the Fund.

21 19 Sec. 19. IOWA LAW ENFORCEMENT ACADEMY -- FEES.
21 20 Notwithstanding section 80B.11B, the Iowa law enforcement
21 21 academy may charge more than one-half the cost of providing
21 22 the basic training course if a majority of the Iowa law
21 23 enforcement academy council authorizes charging more than one-
21 24 half of the cost of providing basic training. This section is
21 25 repealed on June 30, 2007.

CODE: Allows the Iowa Law Enforcement Academy to charge more than one-half the cost to provide training if approved by the Law Enforcement Academy Council. This Section is repealed June 30, 2007.

21 26 Sec. 20. DEPUTY ADJUTANT GENERAL. Notwithstanding section
21 27 29A.16, a deputy adjutant general who is a federally
21 28 recognized officer on May 1, 2006, and who subsequently loses
21 29 federal recognition due to age, shall continue to serve as a
21 30 deputy adjutant general until June 30, 2007.

CODE: Allows a Deputy Adjutant General, that is a federally recognized officer on May 1, 2006, that loses federal recognition due to age, to serve as a Deputy Adjutant General until June 30, 2007.

21 31 Sec. 21. TRAVEL POLICY.
21 32 1. For the fiscal year beginning July 1, 2006, each
21 33 department or independent agency receiving an appropriation in
21 34 this Act shall review the employee policy for daily or short-
21 35 term travel including but not limited to the usage of motor
22 1 pool vehicles under the department of administrative services,
22 2 employee mileage reimbursement for the use of a personal
22 3 vehicle, and the usage of private automobile rental companies.
22 4 Following the review, the department or agency shall implement
22 5 revisions in the employee policy for daily or short-term
22 6 travel as necessary to maximize cost savings.
22 7 2. Each department or independent agency subject to

Requires the departments within the Justice System Appropriations Subcommittee to review their short-term use of vehicles and revise policies on short-term use to maximize cost savings. The departments are required to issue an initial report by December 1, 2006, and a follow-up report by December 1, 2007, to the Government Oversight Committees, on their policy revisions and the savings realized from the changes.

22 8 subsection 1 shall report to the general assembly's standing
22 9 committees on government oversight regarding the policy
22 10 revisions implemented and the savings realized from the
22 11 changes. An initial report shall be submitted on or before
22 12 December 1, 2006, and a follow-up report shall be submitted on
22 13 or before December 1, 2007.

22 14 Sec. 22. Section 904.513, subsection 2, Code 2005, is
22 15 amended to read as follows:
22 16 2. Upon request by the director a county shall provide
22 17 temporary confinement for offenders allegedly violating the
22 18 conditions of assignment to a program under this chapter, if
22 19 space is available in the county. The department shall
22 20 negotiate a reimbursement rate with each county. The amount
22 21 to be reimbursed shall be determined by multiplying the number
22 22 of days a person is confined by the average daily cost of
22 23 confining a person in the county facility as negotiated with
22 24 the department. A county holding offenders in jail due to
22 25 insufficient space in a community residential facility shall
22 26 be reimbursed. Payment shall be made upon submission of a
22 27 voucher executed by the sheriff and approved by the director.
22 28 A voucher seeking payment shall be submitted within fifteen
22 29 days of the end of a calendar quarter. If a voucher seeking
22 30 payment is not made within fifteen days of the end of the
22 31 calendar quarter, the request may be denied by the department.

CODE: Requires counties to bill the DOC for holding alleged
Operating While Intoxicated (OWI) violators in county jails within 15
days of the end of a calendar quarter, or the DOC may deny the claim.

22 32 Sec. 23. Section 904.908, Code 2005, is amended by adding
22 33 the following new subsection:
22 34 NEW SUBSECTION. 3. Any request for reimbursement under
22 35 subsection 2 shall be made within fifteen days of the end of a
23 1 calendar quarter. If a request for reimbursement is not made
23 2 within fifteen days of the end of the calendar quarter, the
23 3 request may be denied by the department.

CODE: Requires counties to bill the DOC for holding alleged work
release violators in county jails within 15 days of the end of a calendar
quarter, or the DOC may deny the claim.

23 4 Sec. 24. Section 906.17, Code 2005, is amended by adding

CODE: Requires counties to bill the DOC for holding alleged parole

23 5 the following new subsection:
23 6 NEW SUBSECTION. 3. Any request for reimbursement under
23 7 subsection 2 shall be made within fifteen days of the end of a
23 8 calendar quarter. If a request for reimbursement is not made
23 9 within fifteen days of the end of the calendar quarter, the
23 10 request may be denied by the department of corrections.

violators in county jails within 15 days of the end of a calendar quarter,
or the DOC may deny the claim.

23 11 Sec. 25. EFFECTIVE DATE. The section of this Act
23 12 addressing section 29A.16, being deemed of immediate
23 13 importance, takes effect upon enactment.

Specifies Section 20 of this Bill takes effect upon enactment.

23 14 EXPLANATION

23 15 This bill makes appropriations for fiscal year 2006-2007
23 16 from the general fund of the state to the departments of
23 17 justice, corrections, public defense, and public safety, and
23 18 the Iowa law enforcement academy, office of consumer advocate,
23 19 office of the state public defender, board of parole, and Iowa
23 20 state civil rights commission. The bill also makes related
23 21 statutory changes.

23 22 The bill addresses Code section 80B.11B to provide that for
23 23 FY 2006-2007 the Iowa law enforcement academy may charge a
23 24 department of the state, a member of a police force, or any
23 25 political subdivision of the state more than one-half of the
23 26 cost to provide the basic training course for a law
23 27 enforcement officer, provided a majority of the Iowa law
23 28 enforcement council approves such a charge. Current law
23 29 prohibits the Iowa law enforcement academy from charging more
23 30 than one-half of the cost of providing the basic training
23 31 course.

23 32 The bill provides that the department of corrections may
23 33 reallocate appropriated funds between the institutions of the
23 34 department of corrections, the department's administration,
23 35 and the judicial district departments of correctional
24 1 services. The bill provides the department, prior to the
24 2 effective date of any reallocation, must provide notice of the

24 3 reallocation to the department of management and the
24 4 legislative services agency.
24 5 The bill provides that the department of public safety may
24 6 also reallocate the funds appropriated to the department
24 7 between the divisions of the department. The bill provides
24 8 that the department, prior to the effective date of any
24 9 reallocation, must provide notice of the reallocation to the
24 10 department of management and the legislative services agency.
24 11 The bill provides that the department of corrections shall
24 12 develop a proposal that designates an existing correctional
24 13 facility as a facility that is dedicated to providing
24 14 substance abuse treatment to offenders in the custody of the
24 15 department. The bill provides that any proposal developed
24 16 shall be from existing funds available to the department.
24 17 The bill addresses Code section 29A.16 to provide that any
24 18 deputy adjutant general who is a federally recognized officer
24 19 on May 1, 2006, and who subsequently loses federal recognition
24 20 due to age, shall continue to serve as a deputy adjutant
24 21 general until June 30, 2007. This provision takes effect upon
24 22 enactment.
24 23 The bill includes a directive for the departments and
24 24 independent agencies receiving an appropriation in the bill to
24 25 review employee policy for daily or short-term travel and to
24 26 implement policy revisions to maximize cost savings. The
24 27 directive includes requirements for reporting to the
24 28 committees on government oversight.
24 29 The bill amends Code sections 904.513, 904.908, and 906.117
24 30 to require a county seeking reimbursement for housing persons
24 31 under the control of the department of corrections to submit a
24 32 claim for reimbursement from the department within 15 days of
24 33 the end of the calendar quarter.
24 34 LSB 5194HV 81
24 35 jm:mg/cf/24

Justice System

General Fund

H.F. 2558	Actual FY 2005 (1)	Estimated FY 2006 (2)	Gov Recomm FY 2007 (3)	House Action FY 2007 (4)	House Action vs Est FY 2006 (5)	Page & Line Number (6)
<u>Justice, Department of</u>						
General Office A.G.	\$ 7,774,280	\$ 8,329,413	\$ 8,429,413	\$ 8,409,413	\$ 80,000	PG 1 LN 7
Consumer Advocate	2,960,442	2,887,017	2,887,017	2,887,017	0	PG 4 LN 28
Victim Assistance Grants	5,000	5,000	205,000	5,000	0	PG 1 LN 21
Legal Services Poverty Grants	0	900,000	900,000	900,000	0	PG 1 LN 27
Total Justice, Department of	\$ 10,739,723	\$ 12,121,430	\$ 12,421,430	\$ 12,201,430	\$ 80,000	
<u>Civil Rights Commission</u>						
Civil Rights Commission	\$ 944,088	\$ 985,753	\$ 985,753	\$ 985,753	\$ 0	PG 20 LN 35
<u>Corrections, Department of</u>						
Corrections Institutions						
Ft. Madison Inst.	\$ 38,170,426	\$ 40,489,555	\$ 42,423,619	\$ 42,423,619	\$ 1,934,064	PG 5 LN 13
Anamosa Inst.	27,015,049	28,317,716	28,903,747	28,903,747	586,031	PG 5 LN 17
Oakdale Inst.	23,724,725	26,155,941	31,800,457	28,758,965	2,603,024	PG 5 LN 25
Newton Inst.	24,631,729	25,875,721	26,150,267	26,100,342	224,621	PG 5 LN 29
Mt Pleasant Inst.	22,560,276	24,499,564	24,929,418	24,929,418	429,854	PG 5 LN 33
Rockwell City Inst.	7,797,776	8,426,532	8,604,680	8,554,855	128,323	PG 6 LN 2
Clarinda Inst.	22,590,992	23,988,327	24,251,587	24,251,587	263,260	PG 6 LN 6
Mitchellville Inst.	13,248,001	14,478,140	14,974,976	14,925,151	447,011	PG 6 LN 15
Ft. Dodge Inst.	25,984,774	27,520,531	27,758,806	27,758,806	238,275	PG 6 LN 19
Total Corrections Institutions	205,723,748	219,752,027	229,797,557	226,606,490	6,854,463	
Corrections Central Office						
County Confinement	674,954	674,954	799,954	799,954	125,000	PG 6 LN 23
Federal Prisoners/Contractual	241,293	241,293	241,293	241,293	0	PG 6 LN 28
Central Office Corrections	3,244,124	2,939,637	4,074,737	3,872,634	932,997	PG 7 LN 5
Corrections Education	1,008,358	1,058,358	1,058,358	1,070,358	12,000	PG 8 LN 8
Iowa Corr. Offender Network	427,700	427,700	427,700	427,700	0	PG 9 LN 1

Justice System

General Fund

H.F. 2558	Actual FY 2005 (1)	Estimated FY 2006 (2)	Gov Recomm FY 2007 (3)	House Action FY 2007 (4)	House Action vs Est FY 2006 (5)	Page & Line Number (6)
<u>Corrections, Department of (cont.)</u>						
Corrections Central Office (cont.)						
Mental Health/Sub. Abuse	0	25,000	25,000	25,000	0	PG 9 LN 4
Hepatitis Treatment and Educat	0	0	0	188,000	188,000	PG 9 LN 7
Transitional Housing Pilot Pro	0	0	0	20,000	20,000	PG 12 LN 5
Total Corrections Central Office	5,596,429	5,366,942	6,627,042	6,644,939	1,277,997	
CBC Districts						
CBC District I	10,165,157	11,043,105	11,313,520	11,187,038	143,933	PG 10 LN 25
CBC District II	7,820,474	8,741,865	8,931,030	8,866,289	124,424	PG 10 LN 31
CBC District III	4,677,869	5,111,348	5,292,569	5,230,178	118,830	PG 11 LN 2
CBC District IV	4,276,113	4,677,524	4,817,061	4,754,670	77,146	PG 11 LN 8
CBC District V	13,132,111	14,922,909	16,352,504	16,290,113	1,367,204	PG 11 LN 14
CBC District VI	10,127,564	10,935,021	11,225,427	11,098,945	163,924	PG 11 LN 22
CBC District VII	5,713,009	6,148,378	6,608,910	6,292,137	143,759	PG 11 LN 28
CBC District VIII	5,618,451	6,209,818	6,408,344	6,346,303	136,485	PG 11 LN 34
Total CBC Districts	61,530,748	67,789,968	70,949,365	70,065,673	2,275,705	
Total Corrections, Department of	\$ 272,850,925	\$ 292,908,937	\$ 307,373,964	\$ 303,317,102	\$ 10,408,165	
<u>Inspections & Appeals, Dept of</u>						
Public Defender	\$ 18,444,964	\$ 19,172,795	\$ 19,792,963	\$ 19,792,963	\$ 620,168	PG 15 LN 11
Indigent Defense Appropriation	22,251,339	21,163,082	27,663,082	25,163,082	4,000,000	PG 15 LN 16
Total Inspections & Appeals, Dept of	\$ 40,696,303	\$ 40,335,877	\$ 47,456,045	\$ 44,956,045	\$ 4,620,168	
<u>Law Enforcement Academy</u>						
Operations	\$ 1,075,138	\$ 1,134,189	\$ 1,172,389	\$ 1,172,389	\$ 38,200	PG 15 LN 20
<u>Parole, Board of</u>						
Parole Board	\$ 1,072,560	\$ 1,151,678	\$ 1,227,848	\$ 1,156,960	\$ 5,282	PG 16 LN 19

Justice System

General Fund

H.F. 2558	Actual FY 2005 (1)	Estimated FY 2006 (2)	Gov Recomm FY 2007 (3)	House Action FY 2007 (4)	House Action vs Est FY 2006 (5)	Page & Line Number (6)
<u>Public Defense, Department of</u>						
Public Defense, Dept. of						
Civil Air Patrol	\$ 0	\$ 100,000	\$ 100,000	\$ 100,000	\$ 0	PG 17 LN 18
Military Division	5,130,040	5,315,459	5,724,545	5,724,545	409,086	PG 17 LN 1
Total Public Defense, Dept. of	5,130,040	5,415,459	5,824,545	5,824,545	409,086	
Emergency Management Division						
Homeland Sec. & Emer. Mgmt Div	1,172,230	1,253,414	1,582,334	1,254,029	615	PG 17 LN 13
Total Public Defense, Department of	\$ 6,302,269	\$ 6,668,873	\$ 7,406,879	\$ 7,078,574	\$ 409,701	
<u>Public Safety, Department of</u>						
Public Safety Administration	\$ 3,073,274	\$ 3,191,874	\$ 3,656,020	\$ 3,656,020	\$ 464,146	PG 17 LN 26
Investigation, DCI	14,208,510	15,261,477	18,673,875	18,673,875	3,412,398	PG 17 LN 31
Narcotics Enforcement	3,930,089	4,896,396	5,349,198	5,349,198	452,802	PG 18 LN 20
Undercover Funds	123,343	123,343	123,343	123,343	0	PG 18 LN 29
Fire Marshal	2,281,998	2,321,122	2,513,247	2,513,247	192,125	PG 18 LN 32
Fire Service	638,021	675,820	675,820	675,820	0	PG 19 LN 5
Iowa State Patrol	42,517,133	43,735,918	45,185,618	45,185,618	1,449,700	PG 19 LN 12
DPS/SPOC Sick Leave Payout	316,179	316,179	691,179	316,179	0	PG 19 LN 25
Fire Fighter Training	559,587	699,587	699,587	699,587	0	PG 20 LN 7
Capital Building Security	0	775,000	0	775,000	0	PG 20 LN 15
DCI Crime Lab	0	342,000	342,000	342,000	0	PG 18 LN 17
Total Public Safety, Department of	\$ 67,648,134	\$ 72,338,716	\$ 77,909,887	\$ 78,309,887	\$ 5,971,171	
Total Justice System	\$ 401,329,139	\$ 427,645,453	\$ 455,954,195	\$ 449,178,140	\$ 21,532,687	

Justice System

Non General Fund

H.F. 2558	Actual FY 2005 (1)	Estimated FY 2006 (2)	Gov Recomm FY 2007 (3)	House Action FY 2007 (4)	House Action vs Est FY 2006 (5)	Page & Line Number (6)
Justice, Department of						
Fine Paper Anti Trust	\$ 0	\$ 0	\$ 0 ¹¹	\$ 200,000	\$ 0	PG 1 LN 30
Consumer Fraud Refunds	0	0	0 ¹⁴	1,200,000	0	PG 2 LN 16
Environmental Crime Invest	0	0	0 ¹⁵	20,000	0	PG 3 LN 35
Total Justice, Department of	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	
Total Justice System	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	

Justice System

FTE

H.F. 2558	Actual FY 2005 (1)	Estimated FY 2006 (2)	Gov Recomm FY 2007 (3)	House Action FY 2007 (4)	House Action vs Est FY 2006 (5)	Page & Line Number (6)
<u>Justice, Department of</u>						
General Office A.G.	189.37	217.50	217.50	217.50	0.00	PG 1 LN 7
Consumer Advocate	22.73	27.00	27.00	27.00	0.00	PG 4 LN 28
Victim Compensation Fund	18.43	20.00	20.00	22.00	2.00	PG 3 LN 6
Total Justice, Department of	230.53	264.50	264.50	266.50	2.00	
<u>Civil Rights Commission</u>						
Civil Rights Commission	23.79	28.00	25.90	25.90	-2.10	PG 20 LN 35
<u>Corrections, Department of</u>						
Corrections Institutions						
Ft. Madison Inst.	523.04	560.50	597.20	597.20	36.70	PG 5 LN 13
Anamosa Inst.	348.67	375.25	374.25	374.25	-1.00	PG 5 LN 17
Oakdale Inst.	286.03	307.50	390.21	338.50	31.00	PG 5 LN 25
Newton Inst.	313.36	338.00	338.00	337.00	-1.00	PG 5 LN 29
Mt Pleasant Inst.	290.63	320.16	324.16	324.16	4.00	PG 5 LN 33
Rockwell City Inst.	101.27	109.00	109.00	108.00	-1.00	PG 6 LN 2
Clarinda Inst.	283.73	335.65	336.05	336.05	0.40	PG 6 LN 6
Mitchellville Inst.	181.25	199.00	199.00	198.00	-1.00	PG 6 LN 15
Ft. Dodge Inst.	352.39	370.00	370.00	370.00	0.00	PG 6 LN 19
Total Corrections Institutions	2,680.37	2,915.06	3,037.87	2,983.16	68.10	
Corrections Central Office						
Central Office Corrections	34.66	37.18	39.18	38.18	1.00	PG 7 LN 5
CBC Districts						
CBC District I	192.96	197.00	196.60	194.60	-2.40	PG 10 LN 25
CBC District II	133.79	142.84	145.84	144.84	2.00	PG 10 LN 31
CBC District III	74.49	77.99	79.99	78.99	1.00	PG 11 LN 2
CBC District IV	72.50	72.00	74.00	73.00	1.00	PG 11 LN 8

Justice System

FTE

H.F. 2558	Actual FY 2005	Estimated FY 2006	Gov Recomm FY 2007	House Action FY 2007	House Action vs Est FY 2006	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)
<u>Corrections, Department of (cont.)</u>						
CBC Districts (cont.)						
CBC District V	235.45	251.32	260.32	259.32	8.00	PG 11 LN 14
CBC District VI	179.06	183.06	185.06	183.06	0.00	PG 11 LN 22
CBC District VII	99.45	100.45	103.45	100.70	0.25	PG 11 LN 28
CBC District VIII	86.85	89.65	92.95	91.95	2.30	PG 11 LN 34
Total CBC Districts	1,074.55	1,114.31	1,138.21	1,126.46	12.15	
Total Corrections, Department of	3,789.58	4,066.55	4,215.26	4,147.80	81.25	
<u>Inspections & Appeals, Dept of</u>						
Public Defender	200.67	202.00	202.00	202.00	0.00	PG 15 LN 11
<u>Law Enforcement Academy</u>						
Operations	27.44	30.00	30.05	30.05	0.05	PG 15 LN 20
<u>Parole, Board of</u>						
Parole Board	14.03	17.50	17.50	17.50	0.00	PG 16 LN 19
<u>Public Defense, Department of</u>						
Public Defense, Dept. of						
Military Division	302.13	312.55	316.55	316.55	4.00	PG 17 LN 1
Emergency Management Division						
Homeland Sec. & Emer. Mgmt Div	24.63	24.75	26.75	24.75	0.00	PG 17 LN 13
Total Public Defense, Department of	326.76	337.30	343.30	341.30	4.00	
<u>Public Safety, Department of</u>						
Public Safety Administration	36.95	38.00	38.00	38.00	0.00	PG 17 LN 26
Investigation, DCI	207.30	230.50	270.50	270.50	40.00	PG 17 LN 31

Justice System

FTE

H.F. 2558	Actual FY 2005 (1)	Estimated FY 2006 (2)	Gov Recomm FY 2007 (3)	House Action FY 2007 (4)	House Action vs Est FY 2006 (5)	Page & Line Number (6)
<u>Public Safety, Department of (cont.)</u>						
Narcotics Enforcement	57.25	75.00	74.00	74.00	-1.00	PG 18 LN 20
Fire Marshal	33.24	42.00	41.00	41.00	-1.00	PG 18 LN 32
Fire Service	9.85	10.00	10.00	10.00	0.00	PG 19 LN 5
Iowa State Patrol	498.41	531.00	531.00	531.00	0.00	PG 19 LN 12
Total Public Safety, Department of	843.00	926.50	964.50	964.50	38.00	
Total Justice System	5,455.80	5,872.35	6,063.01	5,995.55	123.20	